

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

| | |
|---|------------------------|
| IN RE: MAGELLAN AMMONIA PIPELINE, LP | DOCKET NO. HLP-03-0002 |
|---|------------------------|

DECISION AND ORDER GRANTING PERMIT

(Issued January 24, 2005)

On November 20, 2003, Magellan Ammonia Pipeline, LP (Magellan), filed a petition with the Utilities Board (Board) requesting a permit to operate and maintain an existing hazardous liquid pipeline pursuant to Iowa Code § 479B.4 (2003). On January 28, 2004, Magellan filed a supplemental filing to Exhibit D of the petition. Magellan filed supplemental filings to Exhibits A and B of the petition on August 20, 2004. Magellan requests a pipeline permit for approximately 79 miles of 6-inch diameter pipeline for the transportation of anhydrous ammonia in Buena Vista, Pocahontas, Humboldt, Kossuth and Hancock counties. The pipeline was constructed in 1968.

Iowa Code § 479B.4 (2003) provides that any pipeline company currently owning or operating a hazardous liquid pipeline in Iowa shall be issued a permit upon filing a petition stating the name of the applicant, principal office and place of business, legal and general description of the route, and map. Section 479B.4

further requires the applicant establish that its financial condition is satisfactory pursuant to Iowa Code § 479B.13 (2003).

The Board has reviewed Magellan's request for a permit and finds that the petition substantially complies with the requirements set forth in Iowa Code § 479B.4 (2003). With regard to the requirements of Iowa Code § 479B.13 (2003), Magellan has satisfactorily demonstrated that it has property subject to execution within the state, other than pipelines or underground storage facilities, of a value in excess of \$250,000. Therefore, Magellan's petition requesting a hazardous liquid pipeline permit is granted. Pursuant to Iowa Code § 479B.13 (2003), a permit will be issued simultaneously with this order.

IT IS THEREFORE ORDERED:

The petition for a permit to operate and maintain a hazardous liquid pipeline filed by Magellan Ammonia Pipeline, LP, on November 20, 2003, as amended on January 28, 2004, and August 20, 2004, is granted.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 24th day of January, 2005.